

FILED 5/17/2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

1:20-cr-00306(NGG)(RML)

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UNITED STATES OF AMERICA, :

SUPERSEDING INDICTMENT

-v.- :

:

S1 20 Cr. 306 (NGG)

JASON KURLAND, :

a/k/a "Jay," and :

CHRISTOPHER CHIERCHIO, :

:

Defendants.

- - - - - x

COUNT ONE

(Conspiracy to Commit Wire Fraud)

The Grand Jury charges:

1. From at least in or about 2018 up to and including in or about 2020, in the Eastern District of New York and elsewhere, JASON KURLAND, a/k/a "Jay," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that JASON KURLAND, a/k/a "Jay," the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to

be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, KURLAND, an attorney, and others conspired to devise and execute a scheme to defraud three lottery winners who retained KURLAND's legal services ("Lottery Victim-1," "Lottery Victim-2," and "Lottery Victim-3," collectively, the "Lottery Victims"), and to obtain money and property from the Lottery Victims by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme, transmitted and caused to be transmitted wire transfers and wire communications in interstate and foreign commerce.

(Title 18, United States Code, Sections 1349.)

COUNT TWO
(Wire Fraud)

The Grand Jury further charges:

3. From at least in or about 2018 up to and including in or about 2020, in the Eastern District of New York and elsewhere, JASON KURLAND, a/k/a "Jay," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises,

transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, KURLAND, an attorney, and others devised and executed a scheme to defraud the Lottery Victims and to obtain money and property from the Lottery Victims by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme, transmitted and caused to be transmitted wire transfers and wire communications in interstate and foreign commerce.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE
(Honest Services Wire Fraud)

The Grand Jury further charges:

4. From at least in or about 2018 up to and including in or about 2019, in the Eastern District of New York and elsewhere, JASON KURLAND, a/k/a "Jay," willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and to deprive the Lottery Victims of their respective intangible rights to KURLAND's honest services as the Lottery Victims' attorney, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures and

sounds for the purpose of executing such scheme and artifice, to wit, KURLAND, an attorney owing a duty of honest services to the Lottery Victims, directed the Lottery Victims to certain investments and obtained money from the Lottery Victims for such investments, but did not disclose to the Lottery Victims that KURLAND solicited and accepted bribes and kickbacks from business partners in connection with those investments, and, for the purpose of executing such scheme, transmitted and caused to be transmitted wire transfers and wire communications in interstate and foreign commerce.

(Title 18, United States Code,
Sections 1343 and 1346.)

COUNT FOUR
(Conspiracy to Engage in Unlawful Monetary Transactions)

The Grand Jury further charges:

5. From at least in or about 2018 up to and including in or about 2020, in the Eastern District of New York and elsewhere, JASON KURLAND, a/k/a "Jay," the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to engage in monetary transactions in property derived from specified unlawful activity, in violation of Title 18, United States Code, Section 1957.

6. It was a part and an object of the conspiracy that JASON KURLAND, a/k/a "Jay," the defendant, and others known and unknown, knowingly would and did engage and attempt to engage in

monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, the wire fraud offenses charged in Counts Two and Three of this Indictment, in violation of Title 18, United States Code, Section 1957.

(Title 18, United States Code, Section 1956(h).)

COUNT FIVE
(Unlawful Monetary Transactions)

The Grand Jury further charges:

7. From at least in or about 2018 up to and including in or about 2020, in the Eastern District of New York and elsewhere, JASON KURLAND, a/k/a "Jay," the defendant, knowingly engaged and attempted to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, the wire fraud offenses charged in Counts Two and Three of this Indictment.

(Title 18, United States Code, Sections 1957 and 2.)

COUNT SIX
(Wire Fraud)

The Grand Jury further charges:

8. In or about 2020, in the Eastern District of New York and elsewhere, CHRISTOPHER CHIERCHIO, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses,

representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, CHIERCHIO devised and executed a scheme to obtain money and property from one or more of the Lottery Victims for investments in personal protective equipment ("PPE") by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme, transmitted and caused to be transmitted wire transfers and wire communications in interstate and foreign commerce.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT SEVEN
(Unlawful Monetary Transactions)

The Grand Jury further charges:

9. In or about 2020, in the Eastern District of New York and elsewhere, CHRISTOPHER CHIERCHIO, the defendant, knowingly engaged and attempted to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, the wire fraud offense charged in Count Six of this Indictment.

(Title 18, United States Code, Sections 1957 and 2.)

FORFEITURE ALLEGATIONS

10. As a result of committing the offenses alleged in Counts One through Three and Count Six of this Indictment, JASON KURLAND, a/k/a "Jay," and CHRISTOPHER CHIERCHIO, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

11. As a result of committing the offenses alleged in Counts Four, Five, and Seven of this Indictment, JASON KURLAND, a/k/a "Jay," and CHRISTOPHER CHIERCHIO, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offenses, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offenses.

Substitute Assets Provisions


12. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of the any other property of the defendants up to the value of the forfeitable property.

(Title 18, United States Code, Sections 981 and 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney

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EASTERN DISTRICT OF NEW YORK

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SUPERSEDING INDICTMENT

S1 20 Cr. 306 (NGG)

(18 U.S.C. §§ 1343, 1346, 1349, 1956(h),
1957, and 2.)

DAMIAN WILLIAMS
United States Attorney.

Stella Alade

Foreperson.
